

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

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U.S. DISTRICT COURT
WESTERN DIVISION
MASSACHUSETTS

2004-09-23 P 1:45

Scott Stern,) Case No.: 04-30176-MAP
400 West Main Street)
North Adams, MA. 01247,) MOTION TO AMEND COMPLAINT OF
and other persons similarly situated) SEPTEMBER 6th, 2004
in the Commonwealth of Massachusetts;)
and other persons similarly situated)
in the United States of America; and)
other persons similarly situated not)
currently residing within the)
Commonwealth of Massachusetts or the)
United States of America,)
)

Plaintiff,

vs.

University of Massachusetts at
Amherst
University Health Services
Director of Health Services,
Bernadette Melby
150 Infirmary Way
Amherst, Massachusetts. 01003,
Defendant

and,

University of Massachusetts at
Amherst
Brian Burke, Associate Counsel
300 Whitmore Administration Building
Amherst, Massachusetts 01003
Defendant

and,

Massachusetts Board of Trustees,
One Beacon Street
26th Floor
Boston, Massachusetts 02108
Defendant

and,

Massachusetts Board of
Higher Education
One Ashburton Place
Room 1401
Boston, Massachusetts 02108-1696
Defendant

and,

Division of Health Care
Finance and Policy
Two Boylston Street
Boston, Massachusetts 02116-4737

NOW HERE COMES PLAINTIFF AND MOVES this court to AMEND the
complaint of September 6, 2004 in the following manner. The term "fee"
used in the class action Complaint, to be struck and replaced with the
word "plan" in the following numerical sections: four (4), six
(6), twenty-five(25), thirty-one(31), thirty-three (33), fifty-five
(55). Plaintiff prays the court will allow word "fee" to be replaced
by the word "plan" in the aforementioned sections.

NOW HERE COMES PLAINTIFF AND MOVES this court to AMEND the
complaint of September 6th, 2004 in the following manner. The word
"program" is to be struck and replaced with the word "plan" in the
following numerical sections: thirty-two (32), thirty-four (34),
thirty-five (35), thirty-six (36), forty-two (42), forty-three (43),
forty-five(45). Plaintiff prays the court will allow the word
"program" to be replaced by the word "plan" in the aforementioned
sections.

NOW HERE COMES PLAINTIFF AND MOVES this court to AMEND the
complaint of September 6th, 2004 in the following manner. The

prepositional phrase, "by means of registered letter", in numbered section thirty-six (36), placed after the word "notification" but before the word "on" shall be struck and disregarded. Plaintiff apologizes to this court for using the phrase twice and thus being redundant.

NOW HERE COMES PLAINTIFF AND MOVES this court to AMEND the complaint of September 6th, 2004 in the following manner. The word "Student" in numbered section fifty-five (55) shall be inserted after the word "Qualifying" and before the word "Health". The correct title to the sentence would therefore read, "Qualifying Student Health Insurance Program."

PLAINTIFF PRAYS AND MOVES THIS COURT TO ALLOW THIS MOTION TO AMEND in order to clarify the words, phrases and sections of the Class Action Complaint of September 6th, 2004.

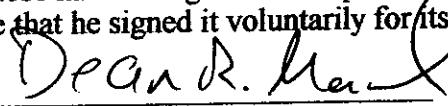
Respectfully submitted on September 22, 2004,



Scott Stern
400 West Main Street
North Adams, Massachusetts 01247

ACKNOWLEDGEMENT CERTIFICATE

On this 22 day of September, 2004, before me, the undersigned Notary Public, personally appeared Scott Stern, proved to me through satisfactory evidence of identification, which were drivers license issued by the Commonwealth of Massachusetts, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its state purpose.



Signature of Notary Public

My Commission Expires 9/1/06

